

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

REBECCA BROOKS; et. al,

Plaintiffs,

v.

THOMAS MAHONEY, III, in his capacity
as Chairman of the Chatham County Board of
Elections; et. al,

Defendants.

No. 4:20-cv-00281-RSB

DECLARATION OF JAMES WOODALL

Pursuant to 28 U.S.C. § 1746, I, James Woodall, hereby declare as follows:

1. I have personal knowledge of the matters stated herein and would testify to the same if called as a witness in Court.
2. I am over eighteen years of age and am otherwise competent to testify.
3. I am the President of the Georgia State Conference of the National Association for the Advancement of Colored People (“Georgia NAACP”). I have held this position since October 13, 2019.
4. The NAACP was founded on February 12, 1909, and is the oldest, largest, and most widely recognized grassroots-based civil rights organization.
5. The Georgia NAACP is a state conference of the NAACP and is the oldest and one of the largest and most significant organizations promoting and protecting the civil rights of African Americans and other racial and ethnic minorities in Georgia.

6. The Georgia NAACP is a non-partisan, interracial, nonprofit membership organization with a mission to “secure the political, educational, social, and economic equality of rights in order to eliminate race-based discrimination and ensure the health and well-being of all persons.” In furtherance of this mission, the Georgia NAACP has engaged in extensive efforts to increase voter registration and voter participation and to protect voting rights in Fulton County.

7. The Georgia NAACP has branches in counties across Georgia, including in Cobb, Augusta-Richmond, Chatham, Clayton, DeKalb, Fulton, Gwinnett, and Henry Counties that are involved in voter registration, assistance, education, and get out the vote efforts.

8. As of 2020, the Georgia NAACP has approximately 10,000 members in Georgia, many of whom reside in Augusta-Richmond, Chatham, Clayton, Cobb, DeKalb, Fulton, Gwinnett, and Henry Counties. There are approximately 700 Georgia NAACP members in Chatham and Augusta-Richmond Counties, for example, many of whom are registered voters.

9. The Georgia NAACP conducts voter registration, education, and turnout efforts. The Georgia NAACP also has been involved in voting rights litigation in Georgia and has sought to prevent efforts to suppress or disenfranchise African American voters. The Georgia NAACP works in the areas of voter registration, voter education, get-out-the-vote efforts, and grassroots mobilization around voting rights.

10. With respect to the November 2020 election, the Georgia NAACP’s voter outreach efforts have included providing education to voters on how to cast mail-in and absentee ballots.

11. In preparation for the November 2020 election, the Georgia NAACP’s work has included educating voters about current Georgia election procedures, including recent changes, and informing its members and members of the public about how to properly complete the voter

declarations accompanying mail-in ballots or correct minor mistakes on mail-in ballots. The Georgia NAACP also worked to educate voters about the options for voting in person on Election Day by spoiling a mail ballot at the polling place, and for voting by provisional ballot under certain circumstances, such as when a voter never received their mail ballot or if voters were concerned that their mail ballot might not be timely received by their local board of elections.

12. The Georgia NAACP has launched a get out the vote campaign for the 2020 election cycle. One of the key components of the campaign included providing accurate information regarding mail-in ballots to the Georgia NAACP's membership and the rest of the public. As part of that campaign, the Georgia NAACP configured its website, naacpga.org, to include a public service announcement about the 866-OURVOTE voter protection hotline and a link directing voters to the 866ourvote.org website. The website includes information about the voting process and tools available to voters, including about the Georgia NAACP's partnership with Lyft to get voters to the polls.

13. The Georgia NAACP has developed materials and worked with local NAACP branches to educate its members and the public about voting by mail including, for example, the availability and location of mail ballot drop boxes. The Georgia NAACP has developed messaging and materials regarding mail ballot drop box locations in particular counties.

14. The Georgia NAACP also developed messaging and materials regarding voting in person, both during the early voting period and on Election Day. For example, Georgia NAACP members helped distribute information about the early voting location or locations available in particular counties.

15. The Georgia NAACP conducted a phone banking program for the November 2020 election. As part of the program, the Georgia NAACP has been reaching out to voters in Augusta-Richmond, Chatham, Clayton, Cobb, DeKalb, Fulton, Gwinnett, and Henry Counties to encourage the use of mail-in and absentee voting and to educate the public about the voting process and, where necessary, assist voters, including those whose absentee ballots were rejected. The Georgia NAACP also helped and assisted voters seeking to cast their ballots in person. The Georgia NAACP's multi-week phone banking program began in the beginning of October.

16. Many of the Georgia NAACP's members cast ballots in Augusta-Richmond, Chatham, Clayton, Cobb, DeKalb, Fulton, Gwinnett, and Henry Counties.

17. I am one of those members. I voted early at the State Farm Arena on October 24, 2020.

18. I am a resident of Fulton County.

19. I cast a vote in the November 2020 presidential election in Fulton County that would be invalidated if the Plaintiffs in this case are successful.

20. I and other Georgia NAACP's members are at risk of being disenfranchised election if the presidential election results in Augusta-Richmond, Chatham, Clayton, Cobb, DeKalb, Fulton, Gwinnett, and Henry Counties are invalidated.

21. The Georgia NAACP has an interest in preventing the disenfranchisement of eligible voters who properly cast ballots, including its members and voters it may have assisted with navigating the voting process.

22. Discarding lawful votes cast by qualified electors in the presidential contest would effectively disenfranchise African-American voters, would harm the Georgia NAACP's

mission of preventing voter disenfranchisement and will inevitably harm individual Georgia NAACP members who voted in Augusta-Richmond, Chatham, Clayton, Cobb, DeKalb, Fulton, Gwinnett, and Henry Counties.

23. Discarding lawful votes cast by qualified electors in the presidential contest would also undermine the Georgia NAACP's voter advocacy efforts by leading some voters to believe that voting is pointless because their ballots will not be counted. This sense of futility will likely depress turnout in the future and make it more difficult for the Georgia NAACP to carry out its mission of encouraging African-American individuals to register to vote, to vote, and to help protect others' right to vote.

24. Moreover, discarding lawful votes cast by qualified electors in the presidential contest will force the Georgia NAACP to dedicate additional resources to voter education efforts, at the expense of other organizational priorities. If votes cast in Augusta-Richmond, Chatham, Clayton, Cobb, DeKalb, Fulton, Gwinnett, and Henry Counties were discarded, more voters would ask Georgia NAACP staff questions about what they can do to prevent being disenfranchised in this election and in future elections. These questions will result in Georgia NAACP staff spending additional time and resources responding that could have been dedicated to other efforts.

25. Moreover, lawful votes cast by qualified electors in the presidential contest will force the Georgia NAACP, in an effort to promote the effective enfranchisement of African-American individuals, to dedicate a larger share of its limited sources to voter education efforts – to ensure that voters cast ballots that cannot be challenged or rejected – and to developing a strategy to prevent this kind of mass disenfranchisement in future elections. Because the Georgia NAACP's resources are limited, those efforts will necessarily come at the expense of,

for example, core activities such as voter registration and other efforts such as criminal justice work.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 13 day of November, 2020 in *Fulton*, Georgia.


James Woodall